

**Report of the Deliberative Session
of February 5, 2005
and the Results of the Second Session (Balloting)
March 8, 2005
Town of North Hampton, New Hampshire**

The first session (deliberative) of the annual town meeting was held in the Town of North Hampton in the County of Rockingham, in said State, on the 5th day of February, 2005. Moderator William Boesch called the meeting to order at 8:06 a.m. He welcomed those in attendance, reviewed the rules for the session, and introduced Town Clerk Delores Chase and Selectmen Donald Gould. Mr. Gould introduced Selectwoman Emily Creighton, Selectman Jon Rineman, and Budget Committee Chairman Robbie Robinson. Mr. Robinson introduced Budget Committee members Mary Pat Dolan, Paul Fitzgibbons, Larry Miller and Sue Spencer.

The Moderator continued with outlining a few rules of the meeting. You do not speak unless the Moderator recognizes you and the Moderator will get an answer to your questions. Each article will be moved and seconded so we may have discussion. All articles will be on the ballot as written or amended. Once they are discussed no additional action is necessary. They are automatically on the ballot.

The Moderator continued with the reading of the warrant.

Article 1.

To choose one Selectmen for a term of one year, one Selectmen for a term of three years, one Town Treasurer for a term of one year, and all necessary Town Officers for the ensuing year.

Moved by Don Gould to be included in the official town ballot as printed and read. Second by Emily Creighton.

At this time, Mr. Gould said he would like to make an exception to procedure and take a moment to honor a valuable citizen, Beverly Frenette, who had contributed decades of service to the town. He said that the town report would be dedicated to her and he presented an official commendation.

There was no discussion of the article. Article 1 will appear on the ballot as printed.

Results of the Balloting of March 9, 2005

On March 8, 2005 Moderator Boesch declared the polls open at 8:00 a.m. to close at 7:00 p.m. The number of votes cast was 757 including absentee ballots.

Selectman, Three Year Term		Water Commissioner, Four Year Term	
Donald B. Gould	567	Robert J. Landman	516
Selectman, One Year Term		Budget Committee Member	
Emily J. Creighton	579	Three Year Term. Vote for two	
Town Treasurer, One Year Term		*Terence J. Conklin	362
Shirley N. Fuller	592	*Paul J. Marston	372
		David Peck	320
Trustee of the Library		Planning Board Member	
Three Year Term		Three Year Term. Vote for two	
Stephen Miller	613	Richard Goeselt	261
Trustee of the Trust Funds		*Laurel J. Pohl	481
Three Year Term		*Phillip E. Wilson	493
Margaret A. Brown	603		
Supervisor of the Checklist		*denotes winners	
Three Year Term			
Joan "Jody" Nordstrom	616		

Article 2. Recommended by the Planning Board 5-0

Motion by Phil Wilson to amend Article 2, seconded by Joe Arena. Mr. Wilson stated that Article 2 should include Section 302. Amendment passed by hand vote. Article 2 will appear on the ballot as amended adding Section 302.

Shall the Town adopt amendments to the Zoning Ordinance, Sections 302, 409, 507, and 701 as proposed in the following (Only Subsections in which proposed amendments occur are shown, and proposed amendments are shaded.):

Proposed amendments to Section 302

Proposed amendments to Section 302 bring definitions of wetland areas of the town into compliance with applicable Definitions adopted by the State of New Hampshire. Amended definitions include “Tidal Lands,” “Wetlands,” and “Isolated nonbordering Wetlands.” The Proposed amendments both bring North Hampton’s definitions into compliance with statewide definitions and preserve protection for “Tidal Lands” – such as the Little River Salt Marsh – that are not specifically distinguished in the state’s definition.

30. Tidal Lands: All lands submerged by mean high tide and, in addition, those areas which border on tidal waters, such as banks, bogs, salt marsh, swamps, meadows, flats or other lowlands subject to tidal action, whose surface is at an elevation not exceeding three and one-half feet above local mean high tide and upon which grow or are capable of growing a variety of tidal plants. The occurrence of saltmarsh peat at the undisturbed surface is also evidence of tidal land. *3/13/79, 3/X/2005.

31. Wetlands: Pursuant to RSA 482-A:2 and RSA 674:55, “wetlands” mean an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. *3/10/92, 3/X/2005.

32. Isolated Nonbordering Wetlands: Those areas of 3,000 sf or less which satisfy the definition above of “wetlands” but which are not within 100 feet of any other Wetlands and do not abut a marsh, pond, bog, lake, river, natural intermittent or perennial stream. *3/10/92, *3/10/98, 3/X/2005.

Proposed amendments to Section 409 Wetland Conservation Areas

Proposed amendments to Section 409 incorporate new definitions proposed above for Section 301 into affected subsections of the Zoning Ordinance. Affected Subsections delineate zoning provisions for tidal lands, wetlands, and isolated nonbordering wetlands areas in the Town. Proposed amendments for these Subsections incorporate the proposed new definitions without relaxing or increasing restrictions on the use of tidal lands, wetlands, and isolated nonbordering wetlands areas.

409.2 Definition of District: The Wetlands Conservation District comprises all of the following areas within the Town of North Hampton:

- A. Tidal Lands as defined in section 302, paragraph 30 herein.
- B. Wetlands as defined in section 302, paragraph 31 herein.
- C. Isolated, non-bordering wetlands as defined in Section 302, paragraph 32 herein.

409.6 Additional Permitted Uses in Tidal Lands: The following additional uses shall be permitted in Tidal Lands:

- A. Cutting of dead or dying trees of any size;
- B. Cutting of live trees with a diameter of six inches or greater, measured 4 1/2 feet above the ground, provided that such partial cutting is limited to 30% of their total pre-harvest basal area. Selection of trees for such partial cutting shall be done with the consultation of the Rockingham County Forester and the approval of the Planning Board. Partial cutting shall be done in such a way that a well distributed stand of healthy growing trees remains.
- C. The erection of fences, footbridges, catwalks and wharves provided such structures are built on posts or pilings and permit the unobstructed flow of the tide and preserve the natural contour of the marshes.

409.7 Additional Permitted Uses in Wetlands and Isolated Non-bordering Wetlands: The following additional uses shall be permitted in Wetlands and Isolated Non-bordering Wetlands:

- A. Forestry and tree farming which does not involve clear cutting;
- B. Water impoundments and construction of wells for on site water supply;

- C. Drainage ways, streams, creeks, or other paths of normal runoff water;
- D. Open space permitted by the subdivision regulations and other sections of the ordinance;
- E. Fill involving less than 3000 square feet of surface area.

409.9 Buffer Zone Restrictions: The buffer zone setback requirement from **tidal Lands and Wetlands is 100'**. For the purposes of this section 409.9 "Wetlands" shall not include a vegetated swale, roadside ditch, or other drainage way; a sedimentation/detention basin or an agricultural/irrigation pond. ***3/11/2003**

A. Undeveloped lots of record

- 1) Undeveloped lots of record existing as of March 2003 or any lot created subsequently: No structure or impermeable surface shall be permitted within 100' of **Tidal Lands** or within 100' of **Wetlands** on any lot of record existing as of March 2003 or on any lot created subsequently.
- 2) **Undeveloped lots of record existing prior to March 2003:** If the imposition of 100' tidal and/or freshwater wetland buffer setbacks causes the buildable upland acreage (this is, land that is not in the wetlands buffer zone) to be less than 16,000 square feet, the prior wetlands buffer zone setback requirements of 50' for **Wetlands** and 75' for **Tidal Lands** shall apply.

B. Developed lots of record

No structure or impermeable surface shall be permitted within 100' of **Tidal Lands or within 100' of Wetlands** on any developed lot of record existing as of March 2003.

- 1) Developed residential lots of record existing prior to March 2003: If the imposition of 100' **Tidal Lands** and/or inland wetland buffer setbacks causes the buildable upland acreage (that is, land that is not in the buffer zone) to be less than 16,000 square feet, the prior buffer zone setback requirements of 50' for Wetlands and 75' for Tidal lands shall apply.
- 2) Notwithstanding other provisions of this section 409.9 of the Zoning Ordinance, the construction of additions to and/or extensions of existing buildings or structures shall be permitted within the 100' wetlands buffer zone provided that:
 - a) The dwelling or structure to be expanded existed lawfully prior to the effective date of this section 409.9 of the Zoning Ordinance (March 2003) or was constructed subject to a validly issued building permit.
 - b) The proposed construction conforms to all other applicable ordinances and regulation of the Town of North Hampton.
 - c) The footprint of any proposed new construction within the buffer does not exceed the greater of 1200 square feet or 25% of the area of the footprint of the existing heated structure within the buffer which existed prior to the effective date of this Ordinance.
 - d) Any proposed new construction of an addition or extension shall not intrude further into the wetland buffer setback than the current principal heated structure
 - e) of which it is a part.
 - f)

Proposed amendments to Section 507 Home Occupation

Proposed amendments to Section 507 clarify that only activities otherwise allowed as either Permitted Uses or Special Exceptions may qualify as home occupations, require that a member of the family residing in the residence conduct the business, and add two additional conditions (Sections 507.6 and 507.7) that must be met in order for the Zoning Board of Adjustments to approve an application for a Special Exception for a home occupation under Section 507.

Proposed amendments to Section 507 are shown by the shaded text below:

Any home occupation otherwise allowed as either a Permitted Use or Special Exception under the terms of this Ordinance shall be permitted as a special exception if it complies with the requirements of this section. *3/9/99

- 507.1 The home occupation shall be carried on by a member of the family residing in the dwelling unit with not more than two employees who are not part of the family *residing in the dwelling*.
- 507.2 The home occupation shall be carried on wholly within the principal or accessory structures.
- 507.3 Exterior displays or signs other than those permitted under Section 506, exterior storage of materials, and exterior indication of the home occupation or variation from the residential character of the principal structure shall not be permitted.
- 507.4 Objectionable noise, vibration, smoke, dust, electrical disturbance, odors, heat, or glare shall not be produced.
- 507.5 Articles not produced on the premises shall not be sold on the premises. *3/12/68
- 507.6 *Te home occupation shall result in no detriment to property values in the vicinity or result in a change in the essential characteristics of any area or neighborhood on account of the location or scale of buildings, other structures, parking areas, access ways, or the storage of vehicles.*
- 507.7 *The home occupation shall not create a traffic safety hazard or result in a substantial increase in the level of traffic congestion in the vicinity.*

507.8

Proposed amendments to Section 514 Flood Plain Development Ordinance

FEMA (Federal Emergency Management Agency) has updated the flood maps and in order to remain in the Flood Insurance Program the Town of North Hampton needs to make changes to the Zoning Ordinance. Proposed amendments affect the second paragraph of Section 514 as indicated by the shaded text below:

The following regulations in this ordinance shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) IN ITS "Flood Insurance Study for Rockingham County, NH dated May 17, 2005, or as amended, together with the associated Flood Insurance Rate Maps dated May 17, 2005 which are declared to be part of this ordinance and are hereby incorporated by reference.

Proposed amendments to Section 701 Permits

This proposal from the Building Inspector asks to amend th North Hampton Zoning Ordinance Section 701 to update the references to national codes. Current references to BOCA will be replaced by references to the International Residential Code (IRC) 2003 edition, as shown by the shaded text below. (Amendments

No person shall commence in any part of North Hampton, construction, alteration, installation, electrical or plumbing work, removal, or demolition of a building or structure without obtaining a written permit for the same from the Building Inspector or other duly authorized enforcing agency and paying a fee in accordance with the fee schedule that can be obtained at the building inspectors office. Said fees shall be turned over to the Town Treasurer. The provision of this section shall not apply to maintenance work performed for the sole purpose of preserving, protecting or refurbishing when such maintenance involves no structural changes, no alteration to electrical wiring or plumbing systems, and any material removed is replaced with like material. Construction shall conform to the following national codes:

International Building Code (IBC), 2000 edition

- International Residential Code (IRC) 2003 edition
- International Mechanical Code (IMC) 2000 edition
- National Electric Code (NEC) (NFPA 70) 2002 edition (and the latest edition as adopted by the NH State Electrical Board)
- International Plumbing Code, 2000 edition with amendments (and the latest edition) as adopted by the NH State Plumbing Board
- International Energy Conservation Code (IECC) 2000 edition

In the event of conflicting codes, the most restrictive will prevail. *3/10/98

Results of balloting on March 8, 2005

YES 485

NO 166

Article 3.

Recommended by the Board of Selectmen 3-0

Recommended by the Budget Committee 7-1

To see if the municipality will vote to raise and appropriate the sum of nine hundred fifty thousand dollars (**\$950,000**) for the construction of a new highway garage and maintenance facility of approximately 8,000 square feet, and a salt and storage shed to be located on Town owned property on the east side of Cedar Road known as Tax Map 007, Lot 048, and to authorize the issuance of not more than \$950,000 of bonds or notes in accordance with provisions of the Municipal Finance Act (RSA 33) and to authorize the Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon; furthermore, to raise and appropriate \$27,000 for the first interest payment. 3/5 vote required for passage of this article.

(Should this article be approved, it is estimated it will constitute \$0.03 per thousand of the 2005-2006 tax rate, and reflects an interest only payment on the bond in fiscal year 2005-2006.)

Moved by Don Gould to be included on the official town ballot as printed and read. Second by Emily Creighton.

Mr. Gould said the actual cost of construction could be less, depending on the bids. He described the proposal as an essential need of the town. Current facilities are 80 years old, lacking room for maintenance and storage, without bathroom facilities, and out of compliance with EPA standards and OSHA requirements. A bar chart was displayed showing the projected tax impact of the bond. He described the tax impact as "minimal". There were no questions or comments. Article 3 will appear on the ballot as printed.

Results of balloting on March 8, 2005

YES 297

NO 401

Article 4.

Shall the municipality accept the provision of RSA 33:7 providing that any town at an annual meeting may adopt an article authorizing indefinitely, until specific rescission of such authority, the Board of Selectmen to issue tax anticipation notes? (Majority vote required)

Moved by Don Gould to be included on the official town ballot as printed and read. Second by Emily Creighton. No discussion. Article 4 will appear on the ballot as printed.

Results of balloting on March 8, 2005

YES 344

NO 293

Article 5.

Shall the municipality vote to accept the reports of the Town officers?

Moved by Jon Rineman to be included in the official town ballot as printed and read. Second by Emily Creighton. No discussion. Article 5 will appear on the ballot as printed.

Results of balloting on March 8, 2005

YES 616

NO 48

Article 6.

Shall the municipality vote to authorize the Selectmen to issue tax lien redemption notes in accordance with RSA 33:7-d?

Moved by Don Gould to be included in the official town ballot as printed and read. Second by Emily Creighton. No discussion. Article 6 will appear on the ballot as printed.

Results of balloting on March 8, 2005

YES 469

NO 131

Article 7.

Recommended by the Board of Selectmen 3-0

Recommended by the Budget Committee 8-0

Shall the Town of North Hampton vote to raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the

warrant or as amended by vote of the first session, for the purposes set forth therein, totaling **\$4,394,473**? Should this article be defeated, the default budget shall be **\$4,353,277** which is the same as last year, with certain adjustments required by previous action of the Town of North Hampton or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13 X and XVI, to take up the issue of a revised operating budget only.

Moved by Don Gould to be included in the official town ballot as printed and read. Second by Jon Rineman.

Planning Board Alternate Laurel Pohl and Budget Committee member Terry Conklin presented a Powerpoint review of town finances, proposed articles including the municipal budget, and an Excel spreadsheet able to calculate the tax rate for any warrant article. Variables and assumptions were built into the program, which Mr. Conklin described as "conservative". Topics included: Taxes 101- How taxes are calculated and raised; Tax Rate Analysis: Variance breakdown; Property Valuations; Town and School Spending Variance Breakdown; Components of 2004 Tax Rate Increase of 18% or \$2.33 (net); Projected Tax Rate.

Ms. Creighton introduced the proposed town budget. She said that when the Selectmen learned of the 18% tax increase they asked department heads to revise proposed budgets to under 3%. Ultimately the Fire and Police Department budgets were higher. Ms. Creighton said the Selectmen had to consider both fiscal responsibility and public safety.

The Police Department recommended two additional officers this year because criminal incidents were up, some shifts have only one officer on duty, and Route 1 traffic and calls are up. North Hampton is third from last among Seacoast towns in personnel per population, said Ms. Creighton.

Ms. Creighton said that the reduced budget proposed by the Fire Department had cut the 12 on-call firefighter positions and overtime. Three-person shifts were created at last year's Deliberative Session. After conferring with Chief Lambert, the Selectmen decided to add back 6 of the call men and some of the overtime to maintain 3-person shifts. The overall increase in the proposed town operating budget is 4.1%. Other departments came in at, or under, 3%.

Questions and comments on Article 7:

1. Ed Veale, Old Locke Road, asked about Fire Department staffing and shifts. Mr. Gould responded that current staffing is 3 firefighters on duty at the station at all times. Overtime is used when an all-call alarm comes in or for vacation and sick time.
2. Peter Dodge, Runnymede Drive, asked if the projected budget included all articles. Mr. Conklin said that the projected tax rate included all articles. He noted that a newspaper article had estimated a tax rate increase of 30% when it was closer to 3%.
3. John Richardson, South Road, asked why the Police Department portion of the budget was over \$1 million now. Mr. Gould said it had originally been proposed as \$908,050, then two additional officers were proposed, bringing the total to \$1,017,275, a roughly \$100,000 increase. Mr. Richardson asked why Route 1 commercial development had not brought tax relief to residents. Mr. Gould said the commercial tax base had increased and that, as commercial values had gone up, so had residential, so the proportion remained the same. The effect was that the relative ratios remained the same. Mr. Gould said the town had just hired a new assessor this year and the Board of Selectmen was cognizant of the need to build the tax base. But he also noted that spending is what drives the tax rate and \$700,000 of new valuation is needed to impact the tax rate \$1.
4. Arthur Nadeau, Pine Road, said that his home had been broken into and family heirlooms stolen. He praised the Police response and efforts in pursuing the missing articles throughout the state. He felt their efforts were keeping crime down.
5. Jeff Hillier of Glendale Road said that last year's spending had been taken from the town surplus, or undesignated fund balance, and that voters had been told that there was so much money in the reserves it had to be spent down. Mr. Rineman said there had been \$3.2 Million in the surplus heading into last year and, after purchasing the Atlantic Avenue property next to the library for \$550,000 and funding other articles, the amount was now down to \$1.8 million. Mr. Rineman said that the Department of Revenue Administration considered this an appropriate amount for good financial management and bonding for items like the Highway Department construction.
6. Marjorie McCoomb of Cedar Road suggested that if the Police needed more than two officers to bring their numbers up to the Seacoast average, an animal control officer could also be added. She said there were over 20 dogs on Cedar Road. She suggested it be kept in mind for next year. Ms. Creighton said the Selectmen were focused on public safety and keeping costs down this year.
7. Rod Duckworth, Squier Drive, asked what control Selectmen had over the valuation process, which he felt could affect the assumptions built into the Pohl/Conklin tax rate estimates. He said that the December Selectmen's letter had noted a drop in commercial value as a portion of overall value from 16 to 14%. Mr. Rineman replied that when Vision Appraisal had done the revaluation over a year ago, the economy was down which affected commercial valuation. With the new company, the Selectmen now

receive a monthly report that is more accurate and up to date. He said Selectmen do not have control over valuation, it is based on the economy. Mr. Duckworth asked if valuation was uniform throughout the state. Mr. Rineman suggested it was fairly uniform, though valuations were performed by different assessing companies. Mr. Gould noted that representatives were present from the new assessing company and said they could answer questions after the session.

8. Phil Wilson, Runnymede Drive, said that he understood that it took \$700,000 of valuation to make a \$1 difference in the tax rate, but that he was conscious that there had been significant development on Route 1 because he had reviewed the plans as a member of the Planning Board. He said he also knew there would be more development in the next few years, including building in front of Shaw's. He said he was perplexed that there had been far less tax contribution from the commercial base than he would intuitively expect. He also noted that the primary need for increased police services was due to the commercial development. He said the cost of development needed to be understood not only in terms of the tax rate but as cost of services and quality of life. He said it was a mystery to him how the commercial property had been evaluated.
9. Joseph Arena, Dancer's Image Lane, asked how much impact the state had on the value of the town. Can the state, when they need money, go to the assessors and say 'kick up the value of the town'? Mr. Gould said that the state controlled the way assessing was done but does not say how much money has to be raised. The exception is the state education donor tax. He said he hoped the formula would change this year.
10. Laurel Pohl, North Road, said that in response to a question about the fidelity of the equation, the estimates only varied by 10% or less, a 15 cent effect on the rate.
11. Alan Williams, Chapel Road, said he agreed on refocusing on commercial property but that the real problem was spending and asked that the town not lose focus on that.

Mr. Boesch said that, without objection, he would not go through a line by line reading of the budget. There was no objection. Article 7 will appear on the ballot as printed.

Results of balloting on March 8, 2005

YES 417

NO 275

Article 8.

Recommended by the Board of Selectmen 3-0

Recommended by the Budget Committee 8-0

To see if municipality will vote to establish the Building Maintenance Capital Reserve Fund for the maintenance and repairs of the North Hampton Town buildings and to bring the facilities into ADA compliance and to raise and appropriate the sum of one hundred twenty five thousand dollars (**\$125,000**) to be placed in this fund; further to appoint the Board of Selectmen as agents to expend from this fund.

(Should this article be approved, it is estimated it will constitute \$0.14 per thousand of the 2005-2006 tax rate.)

Moved by Don Gould to be included in the official town ballot as printed and read. Second by Jon Rineman.

Mr. Gould said the purpose of this article was to allow the town to be proactive in the maintenance and repair of buildings and facilities which he said has not happened in the past. He noted that Old Town Hall was currently condemned. He said the tax impact of this article would be 14 cents. It was badly needed to comply with ADA standards as well as repair Old Town Hall, though the article was not confined solely to that building. He said the Selectmen intended to use and supplement the reserve fund each year.

Questions and comments on Article 8:

1. Judy Day, Mill Road, said she supported this article as the town should plan and be fiscally prudent. She asked if ADA compliance was needed now just for Old Town Hall or other locations as well. Mr. Gould answered that everything has to comply but Old Town Hall was what was needed now, with ramp access and wheelchair access to bathrooms. Ms. Day asked if more money would be added to this fund. Mr. Gould said it would each year, then it would be available for other building repairs. Mr. Boesch noted that, before the November elections, the Secretary of State had informed him that the ramp was too steep. He said there had been too many people voting in that election anyway, which was why voting had been moved to the school.
2. Sandy Dewing, Walnut Avenue, said he was confused because he thought there was an article last year for ADA compliance of Town Hall. He thought the article this year might be confusing to residents and suggested the Selectmen state clearly that the money was going to Old Town Hall. He supported preservation of that building. Mr. Gould said it was the clear intent of this year's Board of Selectmen to use the money to address Old Town Hall; remaining money could be used for other facilities.
3. Phil Wilson, Runnymede Drive, said this approach to maintaining buildings was appropriate. He suggested developing a schedule of maintenance for town properties as good management practice.

Article 8 will appear on the ballot as printed.

Results of balloting on March 8, 2005

YES 390

NO 300

Article 9.

Recommended by the Board of Selectmen 2-0

Recommended by the Budget Committee 7-0-1

To see if the municipality will vote to raise and appropriate the sum of seventy five thousand dollars (**\$75,000**) to pay for professional architectural and engineering services to be procured through competitive bidding with the request for bids containing a clearly articulated and thorough description of the “scope of work” to be prepared by the Board of Selectmen, for the design and space planning for the renovation of the Municipal Complex (Town Office, Library, Town Hall, Police & Fire Building and Highway Shed).

(Should this article be approved, it is estimated it will constitute \$0.09 per thousand of the 2005-2006 tax rate.)

Moved by Emily Creighton to be included in the official town ballot as printed and read. Second by Jon Rineman.

Ms. Creighton said that this article would allow the town to be proactive in managing facilities and allow for repair and upgrade. Buildings are outdated. The town acquired the property at 239 Atlantic Ave. and it is sitting there without a plan. A subcommittee of the Planning Board, the Municipal Facilities Advisory Committee worked hard to assess the needs of the town, said Ms. Creighton. The next step is to bring in professionals to put together a plan based on their work. The Board of Selectmen are working on a “scope of work” for the architect to be hired, said Ms. Creighton.

Questions and comments on Article 9:

1. Sandy Dewing, Walnut Avenue, said money had already been spent on a Master Plan and he asked what the town had gotten for that. Ms. Creighton said that the architect hired to develop a municipal complex plan delivered conceptual drawings in 2001, to a different Board of Selectmen. The plan was shelved and the architect delivered what was specified in the contract for \$25,000. Article 9 would move the process forward, said Ms. Creighton, developing a long-range plan, assessing the buildings, prioritizing based on need, over the course of 15 or 20 years. Mr. Dewing said he was concerned and he hoped that the town would not go down the same road again. Mr. Gould said the Mires report was in the past and the work product was shelved but still available to assist in the next step.
2. Pat Shepard, Atlantic Avenue, said she remembered the plan from the last architect and that, when she viewed it, she did not recognize the town complex it was so different. She asked if the intent was to work with what was in place or create a modern community. Mr. Creighton said the character of the community would be retained, working with the existing buildings. Ms. Shepard said she felt it was important to preserve the town’s heritage.
3. Phil Wilson, Runnymede Drive, said that the Planning Board had endorsed the article with the understanding that the Board of Selectmen would work with the Planning Board to develop a “scope of work”. He noted that the work of the MFAC was primarily on developing a complex that would serve the town’s needs rather than just maintenance of the buildings. He said he would work with the Circuit Rider to prepare an application to Plan New Hampshire as an intermediate step to developing the “scope of work”.
4. Judy Day, Mill Road, said she agreed with Mr. Wilson. The MFAC looked at a vision for the town, fiscal responsibility, and preserving the town’s rural character. She said it went beyond the Mires report and there were checks and balances of different boards and committees to ensure a prudent use of money. She said she supported the article.
5. Dale Fleming of Kimberly Drive said that the 3% tax rate increase was on top of the 18% and each year budgets add to the rate. He said that \$125,000 would be spent to maintain the structural integrity of town hall and could it be required in the new plan that there is an area to vote so \$125,000 is not added each year to maintain town hall. Maybe Old Town Hall could be “retired” and a group like the one at Centennial Hall could maintain it. He said that soon the only people the building means something to won’t be able to afford to live here. Mr. Rineman said the article was not asking for \$125,000 per year to maintain Old Town Hall, just for one time. Also the building was used for more than elections, which will now take place at the school. Ms. Creighton said the Recreation Department was waiting to move into Old Town Hall.
6. Robbie Robinson, Atlantic Avenue, said that he wanted to clarify that what voters were seeing was the final product of two months of negotiations with many changes and iterations. He said the Budget Committee always recommends capital reserve funds so as not to borrow funds for repairs.
7. Larry Miller, Mill Road, said that Selectmen control just 20% of what appears on the tax bill and education makes up most of the rest. In New Hampshire education is funded locally. He recommended that people attend the School Deliberative Session on Tuesday evening. He recommended the \$75,000 article, saying it would save money overall.
8. Judy Day, Mill Road, said there was tension in how to spend and be cognizant of the tax burden while acknowledging that municipal facilities allow all to benefit.

Article 9 will appear on the ballot as printed.

Results of balloting on March 8, 2005

YES 252

NO 442

Article 10. Recommended by the Board of Selectmen 3-0

Recommended by the Budget Committee 8-0

To see if the municipality will vote to raise and appropriate the sum of sixty four thousand dollars **(\$64,000)** for the purchase of Self Contained Breathing Apparatus for the Fire Department? This is the first half of a two year replacement program.

(Should this article be approved, it is estimated it will constitute \$0.07 per thousand of the 2005-2006 tax rate.)

Moved by Emily Creighton to be included in the official town ballot as printed and read. Second by Jon Rineman.

Ms. Creighton said this article was necessary for the safety of the firefighters. It would not be spent until April of 2006, after the second half was approved. The equipment is now obsolete.

Questions and comments on Article 10:

1. Dick Wollmar of Walnut Avenue said he remembered this coming up 7 years ago and asked how many bids were received on the price. Deputy Chief Corey Landry of the Fire Department said the packs had been checked and tried out and they were the most appropriate ones for the department. The packs are 10 to 15 years old and were refurbished 7 years ago.

Article 10 will appear on the ballot as printed.

Results of balloting on March 8, 2005

YES 458

NO 234

Article 11. Recommended by the Board of Selectmen 3-0

Recommended by the Budget Committee 8-0

To see if the municipality will vote to raise and appropriate the sum of fifty six thousand eighty one dollars **(\$56,081)** for the purchase of Windows based municipal software that will integrate, tax collection, general ledger, accounts receivable/payable, cash receipting, building permits, and tax assessing. This software will replace the current DOS based system that will no longer be supported by the current vendor.

(Should this article be approved, it is estimated it will constitute \$0.06 per thousand of the 2005-2006 tax rate.)

Moved by Jon Rineman to be included in the official town ballot as printed and read. Second by Don Gould. Mr. Rineman said the old software was a DOS system that had become costly to maintain because it was so old.

Questions and comments on Article 11:

1. Peter Kilheffer, Post Road, asked if the \$56,000 was only for software. The question was referred to Town Administrator Mike Pardue, who said it was. Mr. Kilheffer asked if a hard drive would be needed next year. Mr. Pardue said a replacement process had been occurring over a number of years with costs in line items of the budgets. He said he did not anticipate the need for further hardware. The software would switch the town from Novell to Windows. Mr. Kilheffer asked if it was off the shelf or customized. Mr. Pardue answered that it was off the shelf and customized to the town's needs. It would allow integration and be more easily maintained.

Article 11 will appear on the ballot as printed.

Results of balloting on March 8, 2005

YES 446

NO 248

Article 12. Recommended by the Board of Selectmen 3-0

Recommended by the Budget Committee 6-2

To see if the municipality will vote to raise and appropriate the sum of forty five thousand dollars **(\$45,000)** for the purchase of a dump truck with a nine foot heavy duty plow to replace the 1995 Ford F350. Any monies received from the sale of the 1995 Ford F350 shall be used to offset the cost of the new vehicle.

(Should this article be approved, it is estimated it will constitute \$0.05 per thousand of the 2005-2006 tax rate.)

Moved by Jon Rineman to be included in the official town ballot as printed and read. Second by Emily Creighton. No discussion. Article 12 will appear on the ballot as printed.

Results of balloting on March 8, 2005

YES 324

NO 402

Article 13 . Recommended by the Board of Selectmen 3-0

Recommended by the Budget Committee 8-0

To see if the municipality will vote to raise and appropriate the sum of thirty five thousand dollars **(\$35,000)** to be added to the Fire Department Equipment Capital Reserve Fund #4.

(Should this article be approved, it is estimated it will constitute \$0.04 per thousand of the 2005-2006 tax rate.)

Moved by Jon Rineman to be included in the official town ballot as printed and read. Second by Emily Creighton. No discussion. Article 13 will appear on the ballot as printed.

Results of balloting on March 8, 2005

YES 355

NO 366

Note: On March 9, 2005 a recount was requested on this article by Thomas S. Lambert, 8 Exeter Road.

The recount was held Tuesday, March 15 at the Mary Herbert Conference Room.

Results of recount of Article 13. YES 356 NO 365 ARTICLE DEFEATED

Article 14 . Recommended by the Board of Selectmen 3-0

Recommended by the Budget Committee 8-0

To see if the municipality will vote to raise and appropriate the sum of twenty five thousand eight hundred dollars **(\$25,800.00)** for the purchase of one police cruiser for the Police Department.

(Should this article be approved, it is estimated it will constitute \$0.03 per thousand of the 2005-2006 tax rate.)

Moved by Don Gould to be included in the official town ballot as printed and read. Second by Jon Rineman. Mr. Gould said it was routine to replace one squad car every year, as prudent planning and management. The car to be replaced will have 90,000 miles on it by summer. Article 14 will appear on the ballot as printed.

Results of balloting on March 8, 2005

YES 336

NO 391

Article 15. Recommended by the Board of Selectmen 3-0

Recommended by the Budget Committee 4-3-1

To see if the municipality will vote to raise and appropriate the sum of twenty five thousand dollars **(\$25,000)** for the demolition of the existing highway facility located at 233A Atlantic Avenue. This article is contingent upon passage of Article 3 for the financing and construction of a new highway facility.

(Should this article be approved, it is estimated it will constitute \$0.03 per thousand of the 2005-2006 tax rate.)

Moved by Don Gould to be included in the official town ballot as printed and read. Second by Emily Creighton. Mr. Gould said the area would be used for additional town parking. Article 15 will appear on the ballot as printed.

Results of balloting on March 8, 2005

YES 236

NO 476

Article 16. Recommended by the Board of Selectmen 3-0

Recommended by the Budget Committee 8-0

To see if the municipality will vote to establish the Cable Television Capital Reserve Fund in accordance with RSA 35:1 for the purpose of purchasing cable television equipment so that the Town may broadcast all town meetings and to raise and appropriate twenty three thousand dollars ~~(\$23,000)~~ **(\$33,000)** from cable franchise fees received after January 1, 2005, to be placed in this fund, with no amount raised by taxation; further, to appoint the Board of Selectmen as agents to expend from this fund.

Moved by Jon Rineman to be included in the official town ballot as printed and read. Second by Don Gould.

Mr. Rineman moved that the amount in the article be corrected to \$33,000, which is what was actually collected as of January 1, 2005. Second by Mr. Gould.

Mr. Rineman explained that the money the cable company was giving to the town as part of franchise fees, which had been about \$120,000 over three or four years, could be collected in this fund rather than the undesignated fund and used to set up cable TV. The cable drop is in the school and works, but equipment is required. If the article were approved a committee would be formed. Some of the broadcast possibilities would include a community bulletin board, major town meetings, school productions, and education programs.

Questions and comments on Article 16:

1. Charles Gordon, Sea Road, asked if the community channel would be part of the basic cable package. Mr. Rineman said yes, but the town still has to buy the equipment. The cafeteria would be the town meeting room for broadcasts and a classroom would be available for smaller meetings.
2. Lori Booth, Woodknoll Drive, asked if the town would use the undesignated fund balance for other expenditures. Mr. Rineman said the town was trying to stay away from that fund right now.

Hand vote. Article 16 will appear on the ballot as amended.

Results of balloting on March 8, 2005

YES 342

NO 380

Article 17.

Recommended by the Board of Selectmen 3-0

Recommended by the Budget Committee 7-1

To see if the municipality will vote to raise and appropriate the sum of twelve thousand dollars **(\$12,000)** for interior maintenance of the police station, and the construction of desks/workstations in the officer's room of the police station.

(Should this article be approved, it is estimated it will constitute \$0.01 per thousand of the 2005-2006 tax rate.)

Moved by Emily Creighton to be included in the official town ballot as printed and read. Second by Jon Rineman. No discussion. Article 17 will appear on the ballot as read.

Results of balloting on March 8, 2005

YES 356

NO 370

Note: On March 9, 2005 a recount of this article was requested by Thomas S. Lambert, 8 Exeter Road.

The recount was held on March 15, 2005 at the Mary Herbert Conference Room.

Results of recount of Article 17. YES 359 NO 369 ARTICLE DEFEATED

Article 18.

Recommended by the Board of Selectmen 3-0

Recommended by the Budget Committee 8-0

To see if the municipality will vote to raise and appropriate the sum of eight thousand dollars **(\$8,000)** for the purchase of a Command Center, with all necessary components for the Fire Department.

(This sum to come from fund balance (surplus) and no amount to be raised from taxation.)

Moved by Emily Creighton to be included in the official town ballot as printed and read. Second by Jon Rineman. No discussion. Article 18 will appear on the ballot as read.

Results of balloting on March 8, 2005

YES 450

NO 280

Article 19.

On petition of Richard G. Robinson and at least 25 registered voters of the Town of North Hampton shall we adopt the provisions of RSA 40:14-b to delegate the determination of the default budget to the municipal budget committee which has been adopted under RSA 32:14.

(3/5 vote required for passage of this article.)

Moved by Robbie Robinson to be included in the official town ballot as printed and read. Second by Paul Fitzgibbons.

Mr. Gould said this article was the product of new state legislation this year, authorizing towns to vote to allow their budget committees to set the default budgets. Historically it has been done by the Board of Selectmen and School Board according to a formula. The Board of Selectmen does not support this article, said Mr. Gould, because it takes away their authority to

set the default. The Board of Selectmen feels it can set its own default, said Mr. Gould, though it respects the work of the Budget Committee.

Questions and comments on Article 19:

1. Robbie Robinson, Atlantic Avenue, said that when he heard that the law had changed he made the Budget Committee aware of it (he is the Chairman of that committee) and a majority wanted to see it on the ballot this year. He said the Budget Committee had always been supported by the residents of the town, who also voted a few years ago to keep it an elected not appointed Board. Mr. Robinson said he felt it was worthwhile to put the article on the ballot for a decision by the voters. He said the Board of Selectmen can make a decision with only 2 (a quorum), the School Board with 3, but the Budget Committee needs 5. The Budget Committee is more objective, said Mr. Robinson.
2. Jeff Hillier, Glendale Road, asked whether, if the article passed, it would also apply to the School Board. Mr. Robinson said it was also on the School District ballot. Mr. Hillier recounted the history of SB2 and the need for a default budget to offset extremist decisions. He said he felt changing the default formula was not in the best interests over the long term, as it shifted substantial power from one board to another.
3. Terry Conklin, Cotton Farm Lane, said he was on the Budget Committee and supported the article. The legislation would allow for the Budget Committee to be more involved in the process. The committee is a financial watchdog, he said, and this article could allow the committee to ensure the formula had been properly applied to the default budgets.
4. Paul Fitzgibbons, Hobbs Road, also on the Budget Committee, said that when he had heard of the 18% increase he was surprised that the default budget did not revert to the previous year's amount but was more. He said he was in favor of the article because it gave teeth to the Budget Committee to set the budgets.
5. Don Gould said he wanted to correct a few things. He said that the 18% increase was in the tax rate and the 5.8% increase was in the proposed budget, not tax rate. The tax rate was projected at this time to increase by less than 3% next year. He also asked that if people feel the Budget Committee should be the watchdog then who will be the watchdog's watchdog.
6. Laurel Pohl, North Road, said she wanted to clarify that the projected tax rate increase was 2.1%.
7. Larry Miller, Mill Road, described the composition of the 9-member Budget Committee and said it was a collective body that paid attention to the finances of the town. He said it was not disrespectful of the Board of Selectmen but that the Budget Committee was a good "checks and balances" body.
8. Emily Creighton said she kept hearing quantity vs. quality and that no matter who has the power it is important that the committees work together to ensure they are doing their best to keep taxes low. She said she was not in favor of shifting responsibilities.
9. Don Gould said he hoped no one would take away from this spirited debate the sense that there was any kind of disrespect or ego battles between the Board of Selectmen and Budget Committee. He said he would take no umbrage if it was the will of the voters to pass the article.
10. Arthur Nadeau, Pine Road, said he had signed the petition and supported the article.
11. Robbie Robinson said he seconded Mr. Gould's remarks regarding cooperation between the committees. He said default budgets had been discussed in the past and changes made through oral suasion. He said that wouldn't change. What would change was that after the public hearing the Budget Committee would have the opportunity to change the default. He said the more people who looked at the default budget the better.
12. Jon Rineman said he had been on the School Board for 3 years, the Budget Committee for five years and the BOS for one year. Regarding the process of developing the budgets, everyone does the best they can, he said. When he was on the School Board he had questions concerning the default and contacted the DRA. They said they couldn't answer his questions but would know the answer if someone sued and the court settled it. He asked who would present the budget if the Budget Committee developed it.

Article 19 will appear on the ballot as printed.

Results of balloting March 8, 2005

YES 348

NO 330 Article Defeated, required 3/5 vote for passage.

Article 20.

Not Recommended by the Board of Selectmen 3-0

Not Recommended by the Budget Committee 4-4

On petition of Pat Morenis Dodge and at least 25 registered voters in the Town of North Hampton, petition that \$55,000 be raised and appropriated to fund the contract for Mosquito abatement during the period of July 1, 2005 to June 30, 2006, in order to continue the success of the mosquito control project. The Board of Selectmen shall be directed, and have to authority to execute such contract on behalf of the citizens of North Hampton.

(Should this article be approved, it is estimated it will constitute \$0.06 per thousand of the 2005-2006 tax rate.)

Moved by Pat Morenis Dodge to appear in the official town ballot as printed and read. Second by Peter Dodge.

Questions and comments on Article 20:

1. Peter Dodge, Runnymede Drive, said he was taken aback when he heard this article would not be put forth by the Selectmen. He said he listened to the discussion that morning and had grudging approval for various increasing expenditures. He said this article was important for quality of life. For three months of the year residents cannot go outside comfortably. He said the article was originally \$85,000 then adulticiding was cut, as it was controversial and ineffective. He said last summer was less of a problem than previous years, though it was not clear whether that was due to larviciding or the weather. He said the larviciding would not continue indefinitely because berms were built in the marsh and fish would consume more mosquito larvae. He said the proposed expenditure was a measure for which the benefits far outweigh the cost.
2. Jeff Hillier, Glendale Road, asked if mosquito control costs appeared in any other part of the budget and the answer was no. He noted that communities on the Seacoast were trying to work together. Mr. Gould said the BOS recognized the hard work of the Mosquito Commission and agreed it may leave a gap in coastal coverage. But he said that the standard the board used this year was in addressing essential needs of the town and this was not determined to be an essential need.
3. Jon Rineman said he had voted against it as a Selectman but would vote for it at the polls as a citizen.
4. Joe Arena, Dancer's Image Lane, said the town should not lose sight of the problem of Equine Encephalitis.
5. Pat Morenis Dodge, Runnymede Drive, said that she and the Mosquito Commission had learned so much over the past year. Mosquitoes are a problem of health as well as comfort. She described adulticiding and larviciding. She said it would be a pity to spoil the success.

Article 20 will appear on the ballot as printed.

Results of balloting on March 8, 2005

YES 417

NO 308

Article 21.

To transact any other business that may legally come before this meeting.

Police Chief Brian Page said he was gathering signatures for a petition to regulate motorcycle noise. He planned to bring the petition to Concord and testify about the need for the legislation.

There being no other business the meeting was adjourned by the moderator at 11:40 p.m.

Respectfully submitted,

Delores J. Chase, Town Clerk
Town of North Hampton